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CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

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 TESLA, INC.

**UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA**

TESLA, INC.,
 Plaintiff,
 v.
 MARTIN TRIPP,
 Defendant.

Case No. 3:18-cv-00296-MMD-CLB

**[PROPOSED] STIPULATED
 JUDGMENT**

AND RELATED COUNTERCLAIMS

1 This Stipulated Judgment is being entered by and between plaintiff and counterclaim
 2 defendant Tesla, Inc. ("Tesla"); and defendant and counterclaimant Martin Tripp ("Tripp"),
 3 based upon the following facts and agreements:

- 4 A. Tesla filed this action on June 20, 2018 (ECF No. 1).
 5 B. Tripp filed an answer and counterclaim on July 31, 2018. (ECF No. 25).
 6 C. The Court issued an Order granting Tesla's motion for summary judgment related to
 7 Tripp's counterclaim on September 17, 2020. (ECF No. 217).
 8 D. Based on an agreement between the parties, the Court ordered on August 14, 2020
 9 that Tripp pay Tesla \$25,000 in sanctions due to his violation of the Court's
 10 protective orders. (ECF No. 211).
 11 E. Whereas Tripp acknowledges and agrees that he violated the Court's Protective
 12 Order and does not contest Tesla's contentions that he violated the Defend Trade
 13 Secrets Act, 18 U.S.C. §§ 1836, the Nevada Uniform Trade Secrets Act, Nev. Rev.
 14 Stat §§ 600A. 10 *et seq.*, breached the Tesla Motors, Inc. Employee Proprietary
 15 Information and Inventions Agreement, breached his fiduciary duties to Tesla, and
 16 violated the Nevada Computer Crimes Law, Nev. Rev. Stat. § 205.4765. Tripp
 17 further acknowledges that his counterclaims against Tesla were funded by Cable Car
 18 Capital, short seller of Tesla stock.

19
 20 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

- 21 A. Plaintiff Tesla shall have and recover from defendant and counterclaimant Tripp
 22 previously-awarded sanctions in the amount of \$25,000.
 23 B. Tesla shall have the right to discovery consistent with Rule 69(a)(2), including
 24 but not limited to discovery regarding Tripp's income and any source and terms of litigation
 25 funding previously obtained by Tripp if Tripp fails to make agreed-upon payments of the
 26 previously-awarded sanctions. The Court shall issue subpoenas necessary to effect this
 27 provision, if needed.

1 C. Plaintiff Tesla shall have and recover from defendant and counterclaimant Tripp
2 damages in the amount of \$400,000 pursuant to the terms of a settlement agreement between the
3 parties.

4 D. Tripp shall take nothing through his counterclaim.

5 E. The parties shall bear their own costs and attorney's fees.

6 F. The parties shall remain in compliance with the Court's protective orders in this
7 matter, including ECF Nos. 44 and 205, and the Court shall retain jurisdiction related thereto.

8 G. The parties will destroy all Confidential and Attorneys' Eyes Only Information in
9 their possession within 90 (ninety) days of the date of the Stipulated Judgment, in conformance
10 with the terms of Section 16 of the Protective Order (ECF No. 44), and provide a certification
11 that they have done so.

12 H. Tripp will destroy any documents that he acquired through his work at Tesla and
13 provide a certification within 90 (ninety) days of the date of the Stipulated Judgment that he had
14 done so.

15 I. From the date of this Stipulated Judgment, the parties will not publicly disparage
16 each other (including any witness associated with this case) in any way. Specifically, Tripp
17 shall be enjoined from contacting, harassing, or disparaging Tesla or any of its former or current
18 executives or employees; Tripp shall be enjoined from discussing his employment at Tesla; and
19 Tripp shall be enjoined from entering any Tesla property at any time.

20 J. The parties agree that this Stipulated Judgment can be enforced worldwide,
21 including the District of Nevada and/or where Tripp resides, including Hungary and that Tripp
22 waives all defenses, objections, or other challenges, including to lack of jurisdiction, to
23 enforcement of this Stipulated Judgment.

24 K. Upon entry of this Stipulated Judgment, the parties shall dismiss their claims.
25 However, the Court shall retain jurisdiction regarding enforcement of this Stipulated Judgment
26 and any related agreement between the parties.

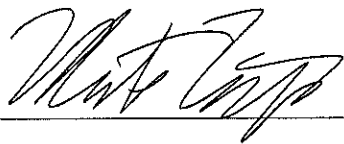
1 IT IS SO STIPULATED.

2 

3
4 By Austin Marsh, Esq.

5 Tesla, Inc.

6 Dated: November 30, 2020

7
8 By 

9 Martin Tripp

10 Dated: November 30, 2020

11
12
13
14 **ORDER**

15 **IT IS SO ORDERED.**

16
17 Date: _____

18 _____
19 Hon. Miranda M. Du
20 CHIEF UNITED STATES DISTRICT JUDGE